IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE D.S.R.VARMA**

**WRIT PETITION NO : 15079 of 1994**

Between:

Syed Abdul Quadeer, S/o. Alhag Abdul Haken,
R/o. Rudrur,Bodhan Tq., Nizamabad Dist.

**..... PETITIONER**

AND

1 The District Collector, Nizamabad.(Chairman Dsit.Selection Committee).
2 The District Development Officer, Zilla Parishad,Nizamabad.
3 The District Educational Officer, Nizamabad.
4 The Director of School Education , Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ or order or direction in the nature of Writ of Mandamus declaring the action of the respondents for not permitting the petitioner to attend the examination and declare that the notification issued by Director of School Education as illegal and arbitrary and also consequently direct the respondents to accept the petitioner for the post of teacher.

**Counsel for the Petitioner: MR.K.ANJI REDDY**

**Counsel for the Respondents: GP FOR EDUCATION**

**The Court Made the Following**:

**ORAL ORDER:**

Heard both sides.

2. The petitioner seeks a declaration that the action of the respondents in not permitting the petitioner to attend the examination and that the notification issued by the Director of School Education as illegal and arbitrary and for a consequential direction to the respondents to permit the petitioner to attend the examination for the post of teacher.

3. It appears that the petitioner was eligible to write the written test conducted by the Director of School Education for recruitment to the posts of Secondary Grade Teachers, School Assistants in Z.P./M.P. Schools, which was scheduled to be held on 21-08-1994. It is the case of the petitioner that he applied for the above said post on 10-08-1994, and paid examination fee by way of demand draft for Rs.40/-. But, the application was not accepted by the authorities on the ground that he has not enrolled in the Employment Exchange within the stipulated time as per the notification.

4. It appears further from the affidavit, filed in support of the writ petition, that the petitioner being already over aged will be denied for future examinations, if he was not allowed to appear for the said examination.

5. In those circumstances, this Court directed the respondents to receive the application of the petitioner together with the fee prescribed for the said examination and shall allow him to write the examination for recruitment of Secondary Grade Teachers scheduled to be conducted on 21-08-1994, with a further direction that the

results of the said examination shall not be declared until further orders.

6. Now, it is represented by the learned Counsel for the petitioner that subsequently the results were announced, but no information is forthcoming as to whether the petitioner was selected or not. It is further informed that the petitioner was employed in some other institution. Hence, at this point of time, no use and purpose will be served in continuing the present writ petition.

7. The writ petition fails and is liable to be closed as nothing survives for adjudication.

8. In the result, the writ petition is closed as having become infructuous. However, there shall be no order as to costs.

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D.S.R.VARMA, J

25-06-2004.

mjl/*

To

1 The District Collector, Nizamabad.(Chairman Dsit.Selection Committee).
2 The District Development Officer, Zilla Parishad,Nizamabad.
3 The District Educational Officer, Nizamabad.
4 The Director of School Education , Hyderabad.

5. 2CCs to G.P. for Education.

6. 2CD copies